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Message Text

CONFIDENTIAL

PAGE 01 GENEVA 03566 01 OF 02 101351Z

46
ACTION IO-03

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 SSO-00 SIL-01

LAB-01 EB-03 L-01 SP-02 INR-05 INRE-00 CIAE-00 AF-04

PRS-01 IOE-00 COME-00 EUR-08 EA-06 NEA-07 ARA-06

DHA-02 /070 W
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O 101252Z MAY 76
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 9815
INFO ALL EC CAPITALS IMMEDIATE 50
USUN NEW YORK IMMEDIATE 2991
AMEMBASSY TOKYO IMMEDIATE
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY CANBERRA IMMEDIATE
AMEMBASSY NAIROBI IMMEDIATE
AMEMBASSY BELGRADE IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 2 GENEVA 3566

LIMDIS

PASS LABOR FOR SEGALL, HOROWITZ AND QUACKENBUSH

PASS COMMERCE FOR UNDERSECRETARY UPTON

PASS NAIROBI FOR AMBASSADOR DALE

BELGRADE FOR AMBASSADOR SILBERMAN

E.O. 11652: GDS
TAGS: ILO PORC EC
SUBJECT: ILO: CONSULTATIONS WITH EC NINE, MAY 6, 1976

REF: GENEVA 3326

1. SUMMARY: MEETING MORNING MAY 6 BETWEEN USG MEMBER (HOROWITZ)
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PAGE 02 GENEVA 03566 01 OF 02 101351Z

OF ILO GOVERNING BODY (ACCOMPANIED BY CHARGE AND MISSOFFS) AND

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EC NINE GENEVA REPRESENTATIVES TAKEN UP ALMOST ENTIRELY BY DISCUSSION OF HOW TO DISCUSS SUBSTANTIVE ILO ISSUES. RESULT WAS AGREEMENT TO (1) AFTERNOON SESSION TO CLARIFY FOUR POINTS IN KISSINGER LETTER; (2) "TECHNICAL LEVEL" DISCUSSIONS WEEK OF MAY 10 TO FURTHER CLARIFY U.S. POSITION AND (3) PROVIDE FRAMEWORK FOR THIRD SESSION DURING WEEK OF MAY 24 TO BE ATTENDED BY BOTH GENEVA PERMREPS AND OFFICIALS FROM CAPITALS. NINE INSIST THIS "DIALOGUE" WITH U.S. BE SEPARATE FROM IMEC DISCUSSIONS ON TACTICAL ISSUES COMING UP AT JUNE ILO CONFERENCE AND WEC. QUESTIONS PUT TO HOROWITZ AT MAY 6 AFTERNOON SESSION (PARA 3 BELOW) SUGGEST THAT GENEVA REPS OF NINE (1) ALMOST WITHOUT EXCEPTION NOT SUFFICIENTLY WELL INFORMED TO DISCUSS ILO MATTERS ON ANYTHING BUT ACADEMIC LEVEL; (2) PROBABLY DO NOT HAVE SIGNIFICANT AGREED NINE POSITION ON SUBSTANTIVE POINTS RAISED IN KISSINGER LETTER AND BY AMBASSADOR SILBERMAN; AND (3) ARE USING "DIALOGUE" TO IDENTIFY CRITERIA U.S. WILL USE IN FINAL DECISION ON ILO MEMBERSHIP (SEE COMMENT PARA 5 BELOW). HOROWITZ EMPHASIZED U.S. MAY WISH BILATERAL CONTACT TO ENHANCE COOPERATION MAY 7 MEETING WITH IMEC (INDUSTRIALIZED MARKET ECONOMY COUNTRIES) REPORTED SEPTEL. END SUMMARY

2. MORNING SESSION: FRG AMBASSADOR HERBST (SPOKESMAN FOR NINE) SAID PURPOSE OF MEETING WAS TO CONSIDER ORGANIZATION OF FUTURE DISCUSSIONS, PARTICULARLY HOW TO BEGIN "DIALOGUE" ON (A) IDENTIFICATION OF NECESSARY AND POSSIBLE CHANGES IN ILO, INCLUDING POINTS RAISED IN KISSINGER LETTER AND (B) COOPERATION ON PRACTICAL MEASURES TO BRING ABOUT DESIRED CHANGE. HERBST UNDERLINED THAT DIALOGUE WAS TO BE PRACTICAL AND NOT THEORETICAL EXERCISE. AS EXAMPLES, HE SUGGESTED EXAMINATION OF 1) PAST VIOLATIONS OF DUE PROCESS IN ORDER TO ASSESS EXTENT OF HARM TO ILO CAPACITY TO DEAL WITH IN HUMAN RIGHTS FIELD AND (2) DEGREE TO WHICH ILO TIME AND ENERGY HAD BEEN DIVERTED BY POLITICIZATION. NINE BELIEVE THIS "DIALOGUE" IS NECESSARY FOR EFFECTIVE PRACTICAL COOPERATION WITH U.S. HOROWITZ REGRETTED (1) EMPHASIS BY NINE AT THIS LATE DATE ON PROCEDURE AND (2) ABSENCE AT MEETING OF KNOWLEDGEABLE AND RESPONSIBLE OFFICIALS FROM CAPITALS WHO COULD DISCUSS SUBSTANTIVE POINTS OF ILO POLICY. HE POINTED OUT NEED FOR POLITICAL DECISION IN CAPITALS TO GIVE ILO HIGH PRIORITY AND SAID ISSUE WAS NOT WHETHER U.S. HAD SUFFICIENT CAUSE TO WITH-
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PAGE 03 GENEVA 03566 01 OF 02 101351Z

DRAW BUT WHETHER COOPERATION TO PREVENT U.S. WITHDRAWAL WAS POSSIBLE; IF NINE AGREED THAT COOPERATION WAS GOAL, HE WAS READY TO DISCUSS FUNDAMENTAL ISSUES, INCLUDING THOSE IN KISSINGER LETTER. HOROWITZ REJECTED "DIALOGUE" WHICH WOULD FOCUS ON FINE POINTS OF SPECIFIC INSTANCES OF VIOLATION OF DUE PROCESS OR OF POLITICIZATION. IN BLUNT AND AT TIMES HEATED EXCHANGE, NINE REPS TOOK POSITION THAT PROPOSED "DIALOGUE" WAS NOT INTENDED TO "PROVE U.S. DECISION WRONG" BUT TO CLARIFY U.S. POSITION IN

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Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

ORDER TO FACILITATE DECISION-MAKING IN CAPITALS AND THEY PRO-
POSED DIALOGUE BEGIN WITH THREE MEETINGS LISTED PARA 1 ABOVE.

3. AFTERNOON SESSION: NOTEWORTHY WERE QUESTIONS ON HOROWITZ
PRESENTATION OF FOUR CONCERNS IN KISSINGER LETTER. ANSWERS
ARE IN PARENTHESIS.
A. EROSION OF TRIPARTITISM. HOROWITZ STRESSED NEED FOR
PROMOTION INSTITUTIONS IN LDCS AND FOR PROTECTION
OF AUTONOMY OF WORKER AND EMPLOYER GROUPS; IN RESTATING U.S.
OPPOSITION TO ELECTION OF COMMUNIST REPS TO HIGH OFFICES,
HE DISTINGUISHED ELEGIBILITY FOR OFFICE FROM "RIGHT"
TO BE ELECTED. DANISH AMBASSADOR ASKED WHETHER U.S. OPPOSED
ONLY EE GOVERNMENT REPS (YES) AND WHETHER U.S. WOULD EXCLUDE
EE'S FROM OTHER THAN FOUR POSITIONS SO FAR IDENTIFIED (DIFFICULT
LINE BUT PRINCIPLE MUST BE APPLIED). FRG AMBASSADOR WANTED
TO KNOW WHETHER U.S. IDENTIFIED POSTS BY SYMBOLIC VALUE OR
ACTUAL IMPORTANCE (CHIEF FACTOR IS SYMBOLIC VALUE) AND
WHETHER U.S. HAD SOUNDED OUT REACTION OF THIRD WORLD TO ITS
EMPHASIS ON TRIPARTITISM (U.S. HAD DONE NO SURVEY OF LDCS BUT
CONSIDERED THIRD WORLD IN TRANSITION TOWARD AND NOT IDEOLOGICALLY
OPPOSED TO TRIPARTITISM; HOWEVER, CRUCIAL FACTOR WAS VALUE IN-
DUSTRIALIZED COUNTRIES PUT ON TRIPARTITISM). UK COUNSELOR
(ALEXANDER) IN LINGUISTIC APPROACH ASKED WHAT WAS MEANT BY
THREAT TO U.S. LIBERTY IN KISSINGER LETTER (THRE THREAT TO THE
AUTONOMY OF GROUPS) AND WHAT "SOME ACCOMMODATION" MEANT IN TERMS
OF TRIPARTITISM (TRIPARTITISM IS GOAL FOR THIRD WORLD; U.S.
WOULD FIGHT ELECTION NOT ONLY COMMUNIST COUNTRIES BUT ALL
COUNTRIES OPPOSED TO TRIPARTITISM AS MATTER OF PRINCIPLE OR
POLICY).

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PAGE 01 GENEVA 03566 02 OF 02 101408Z

46
ACTION IO-03

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 SSO-00 SIL-01

LAB-01 EB-03 L-01 SP-02 INR-05 INRE-00 CIAE-00 AF-04

PRS-01 IOE-00 COME-00 EUR-08 EA-06 NEA-07 ARA-06

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FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 9816
INFO EC CAPITALS IMMEDIATE 51
USMISSION USUN NEW YORK IMMEDIATE
AMEMBASSY TOKYO IMMEDIATE
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY CANBERRA IMMEDIATE
AMEMBASSY NAIROBI IMMEDIATE
AMEMBASSY BELGRADE IMMEDIATE

C O N F I D E N T I A L SECTION 2 OF 2 GENEVA 3566

LIMDIS

PASS LABOR FOR SEGALL, HOROWITZ AND QUACKENBUSH

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B. SELECTIVITY IN HUMAN RIGHTS -- UK IN CONTINUED SEMANTIC ANALYSIS SAID "APPALLING SELECTIVITY" WAS STRONG LANGUAGE (SELECTIVITY WAS INDEED APPALLING) AND ASKED WHETHER U.S. WANTED ILO CONVENTIONS APPLIED OUTSIDE EE (ILO STANDARDS ARE INTERNATIONAL AND MUST BE APPLIED UNIVERSALLY, INCLUDING EE); REFERRING TO EFFORTS IN 1968 AND 1974 TO CIE EE FOR VIOLATION OF CONVENTIONS, ALEXANDER THEN ASKED WHETHER U.S. WOULD JUDGE THESE AND FUTURE CONFIDENTIAL

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PAGE 02 GENEVA 03566 02 OF 02 101408Z

EFFORTS BY STANDARD OF "WE FAILED" OR BY STANDARD OF "WE HAVE NOT TRIED" (WEST CANNOT SUCCEED IN CITING EE FOR VIOLATIONS WITHOUT TRYING). DANISH AMBASSADOR THOUGHT SELECTIVITY RESULTED FROM FAILURE TO BRING COMPLAINTS (SOME WORKERS LIKELY TO LEDGE COMPLAINTS THIS YEAR, BUT U.S. CRITICISM REFERS TO SELECTIVITY BY ILO AND NOT BY GROUPS; DANE THEN SUGGESTED U.S. WAS CRITICIZING CONFERENCE PLENARY (CONFERENCE PLENARY AND COMMITTEE ON APPLICATION OF CONVENTIONS). DUTCH AMBASSADOR SAID REAL ISSUE IS WHETHER ILO IS DIFFERENT FROM REST OF UN AND ASKED WHETHER WORK OF HUMAN RIGHTS COMMISSION AND ILO WERE REALLY DIFFERENT (TECHNICAL DISCUSSION NEXT WEEK COULD TAKE UP DIFFERENCES). IRISH AMBASSADOR ASKED WHETHER U.S. WOULD RIDE OFF INTO "TRIPARTITE SUNSET" IF NINE COOPERATED WITH U.S. AND EFFORTS FAILED (IF DEMOCRACIES STAND TOGETHER, THEY WILL NOT FAIL; THERE IS NO LIST OF U.S. GOALS AND A FEW "CHARGED ISSUES" COULD DEVELOP IN A WAY TO DRIVE U.S. OUT OF ILO IN SPITE OF COOPERATION OF ALLIES; BUT ON MANY ISSUES, WHO STANDS WITH U.S. WILL BE MORE IMPORTANT THAN WINNING). FRG AMBASSADOR SAID FINAL JUDGEMENTS IN UN ALWAYS MADE ON POLITICAL CONSIDERATIONS; THE

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Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

"HARD FACTS" ARE THAT MAJORITY NOT EASY TO CARRY AND OUTCOME
OF U.S. EFFORTS IS DOUBTFUL (DEMOCRACIES STANDING TOGETHER
HAVE GREAT WEIGHT, ESPECIALLY IN ALLIANCE WITH WORKERS AND
EMPLOYERS).
C. DUE PROCESS/CONDEMNATION WITHOUT INVESTIGATION: SOLE
QUESTIONER WAS UK. ALEXANDER ASKED WHETHER U.S. ASSERTION IN
NOTICE OF WITHDRAWAL THAT VIOLATIONS OF DUE PROCESS HAD GRAVELY
DAMAGED ABILITY OF ILO TO CARRY OUT ITS WORK WAS SUBJECTIVE
OR OBJECTIVE STATEMENT (HOROWITZ REPLIED INDIRECTLY BY NOTING
PORTUGAL HAD BEEN CONDEMNED AFTER ILO COMMISSION HAD FOUND
NO VIOLATION OF ILO CONVENTIONS IN OVERSEAS TERRITORIES).
ALEXANDER SAID UK WILL JOIN U.S. IN DEFENSE OF PRINCIPLE OF
DUE PROCESS, BUT UK PRIORITIES IN DECIDING POSITIONS ON
RESOLUTIONS GO BEYOND ILO; FOR INSTANCE, UK MIGHT HAVE TO
"DECIDE BETWEEN PLEASING TUC OR U.S. ALLY." THEREFORE, IN
DECIDING EACH CASE, UK FOREIGN OFFICE WILL NEED TO KNOW EXTENT
OF DAMAGE TO ILO CAPACITY TO WORK; HE HOPED THIS REQUIREMENT
WOULD NOT AFFECT TECHNICAL LEVEL EXCHANGE NEXT WEEK IN GENEVA
(IT MIGHT AFFECT THE EXCHANGE).
D. POLITICIZATION: HOROWITZ EMPHASIZED U.S. DESIRE TO RESTRICT
RESOLUTIONS OF CONDEMNATION TO CASES WHERE IMPARTIAL INVESTIGATION
JUSTIFIED CONDEMNATION. PROBLEM WILL ARISE AT WORLD EMPLOYMENT
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CONFERENCE WHERE RELIABLE STEERING COMMITTEE COULD KEEP MIDDLE
EAST CONFLICT OUT OF WEC ILO. LONG ANALYSES OF PAST ILO
HISTORY WOULD ONLY DETRACT FROM OR DELAY ACTION. FRG AMBASSADOR
THOUGHT STRONG STANDS MIGHT PRODUCE GREATER POLITICAL CONFRONTATION
AND CONSEQUENT GREATER WASTE OF ILO RESOURCES (ILO ANNNOT BE
PURGED OF ALL POLITICAL ACTIVITY BUT U.S. DISTINGUISHES
DISCUSSION OF DG'S REPORT AT CONFERENCE FROM POLITICAL ACTIONS
WHICH INFRINGE ON ILO JUDICIAL PROCEDURES OR WHICH
ATTACK FUNDAMENTAL BASIS OF ILO).

4. SCHEDULE OF MEETINGS
A. MAY 7 - IMEC MEETING TO IDENTIFY TACTICAL ISSUES AT
JUNE CONFERENCE.
B. WEEK OF MAY 10 - TECHNICAL EXCHANGE BETWEEN U.S. AND
NINE GENEVA "EXPERTS".
C. MAY 22-24 - SECOND IMEC MEETING ON TACTICAL ISSUES.
D. WEEK OF MAY 24 - NINE AMBASSADORS WITH POLICYMAKERS
FROM CAPITALS TO MEET WITH U.S. IN CONTINUATION OF
DIALOGUE.

5. COMMENT: THERE IS ONLY MINISCUL CHANCE THAT POSITIVE
RESPONSE TO FUNDAMENTAL QUESTIONS RAISED BY KISSINGER LETTER
WILL BE MADE BY PERMREPS OF NINE IN GENEVA. IN SPITE OF
THAT, MISSION BELIEVES MEETINGS SCHEDULED PARA 4 B-D ABOVE
SHOULD TAKE PLACE. PATTERN OF QUESTIONS (PARA 3 ABOVE) FOLLOWS
THAT OF FOREIGN OFFICE UN SECTION STAFF MEMBERS IN CAPITALS

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VISITED BY AMBASSADOR SILBERMAN; BUT REPEATIN U. . POSITION
COULD BE OF VALUE, AT LEAST UNTIL BILATERAL DICUSSIONS ARE
UNDERWAY, AND BREAKING OFF NEGOTIATIONS IN GENEVA IS AN ACT
WHICH SHOULD BE RESERVED TO DRAMATIZE A MORE IMPORT OCCASION.
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EO Systematic Review
04 MAY 2006

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